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WASHINGTON**FROM** Ann C. Livingston
DATE December 6, 2005
PAGES 4 (including fax cover sheet)**VOICE NO.** 512.322.2634
FAX NO. 512.322.8325
RETURN TO Laura Swann**TO** Examiner Srirama T. Channavajjala
U.S. Patent & Trademark Office**FAX NO.** 571.273.8300
VOICE NO. 571.272.4108**MESSAGE**

Examiner Channavajjala,

Pursuant to our telephone conversation, attached please find the Terminal Disclaimer in reference to application no. 09/865,803 (2 pages), along with the confirmation of my prior facsimile to you (1 page).

If you have any questions, please don't hesitate to give me a call.

Laura Swann
IP Legal Secretary
Baker Botts LLP
Austin, TX
512.322.2676**Notice of Confidentiality**

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PAGE 1/4 * RCVD AT 12/6/2005 4:59:24 PM [Eastern Standard Time] * SVR:USPTO-EFAX-6/34 * DNIS:2738300 * CSID:512 322 2502 * DURATION (mm-ss):02-08

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PAGES 5

VOICE NO. 512.322.2634
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TO Examiner Srirama T. Channavajjala
U.S. Patent & Trademark Office

FAX NO. 571.273.8300
VOICE NO. 571.272.4108

MESSAGE

Examiner Channavajjala,

Pursuant to your request, attached are Terminal Disclaimers in connection with: (1) Application No. 09/865,802; and (2) Application No. 09/865,805. Please call if I can be of further assistance.

Laura Swann
IP Legal Secretary
Baker Botts LLP
Austin, TX
512.322.2676

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PTO/SB/25 (09-04)

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
068082.0115

In re Application of: John C. Selbel et al.

Application No.: 09/865,802

Filed: May 24, 2001

For: Database Server System for Web-Based Business Intelligence

The owner, NetProfit.com, Incorporated, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number see Exhibit A, filed on see Exhibit A, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

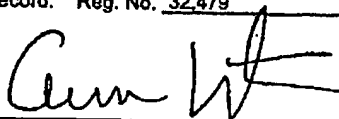
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 32,479



Signature

11/02/05
Date

Ann C. Livingston

Typed or printed name

512.322.2634
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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TERMINAL DISCLAIMER EXHIBIT A

Application Number	Filing Date
09/865,804	05/24/2001
09/865,805	05/24/2001
09/865,735	05/24/2001
09/862,814	05/21/2001
09/862,832	05/21/2001
09/971,334	10/04/2001
09/970,563	10/04/2001

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